

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NIKE, INC.,

Plaintiff,

v.

BY KIY, LLC,  
NICKWON ARVINGER, and  
DAVID WEEKS,

Defendants.

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BY KIY, LLC,

Counterclaimant,

v.

NIKE, INC.,

Counterclaim-Defendant.

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CASE NO. 1:23-cv-02431-VM

**DECLARATION OF JOHN DURRANT  
IN SUPPORT OF MOTION TO SEAL**

**DECLARATION OF JOHN DURRANT**

I, John Durrant, declare as follows:

1. I am an attorney duly licensed to practice in the State of California and admitted to appear before this Court *pro hac vice*. I am the Founder and Chief Executive Officer of THE DURRANT LAW FIRM, APC, counsel for Defendant By Kiy, LLC (“By Kiy”) and Defendants Nickwon Arvinger (“Mr. Arvinger”). I submit this declaration in support of a Motion to Seal. Except as otherwise noted, I have personal knowledge of the facts set forth in this Declaration and, if called and sworn as a witness, I could and would testify competently thereto under oath.

2. I am forthwith filing a Reply in Support of the Motion of John Durrant and Zakari Kurtz to Withdraw as Counsel for By Kiy, LLC and Nickwon Arvinger and associated Declaration, which contain information that should be filed under seal. The deposition transcripts have each been designated “Highly Confidential” by the parties under the Protective Order in this case [ECF 77] and the Reply and Declaration mention or discuss testimony contained in depositions and matters arising therefrom, as well as other facts that are sensitive and should not be disclosed on the public docket.

Executed on August 15, 2023 at Los Angeles, California.

John S. Durrant  
John S. Durrant